

**THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOHN DOE, Case No. 1:20-cv-01343 (GHW)

Plaintiff,

-against-

NEW YORK UNIVERSITY,

Defendant.

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**DECLARATION OF JEFFREY P. METZLER IN SUPPORT OF
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

I, Jeffrey P. Metzler, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney duly licensed to practice law in the state of New York and admitted to practice in the United States District Court for the Southern District of New York. I am Special Counsel at the law firm Pillsbury Winthrop Shaw Pittman LLP, counsel for Defendant New York University (“NYU”) in this action.
2. I respectfully submit this declaration in support of NYU’s Memorandum of Law in Support of Defendant’s Motion for Summary Judgment.¹
3. Attached to this Declaration as **Exhibit 1** is a true and correct copy of the Investigation Summary Report, dated October 23, 2018 (Redacted).
4. Attached to this Declaration as **Exhibit 2** is a true and correct copy of the document bearing bates NYU_00001803 – NYU_00001808 (Redacted).
5. Attached to this Declaration as **Exhibit 3** is a true and correct copy of the document bearing bates NYU_00029043 – NYU_00029053.

¹ NYU has contemporaneously filed a Letter Motion for leave to redact and/or seal certain exhibits attached hereto, and designates herein the requested treatment of each such exhibit as “(Redacted)” or “(Sealed).”

6. Attached to this Declaration as **Exhibit 4** are true and correct copies of excerpts from the deposition transcript of Samuel Hodge, dated January 11, 2022 (Redacted).

7. Attached to this Declaration as **Exhibit 5** are true and correct copies of excerpts from the deposition transcript of Mary Signor, dated February 28, 2022 (Redacted).

8. Attached to this Declaration as **Exhibit 6** is a true and correct copy of the Declaration of Lauren Stabile in support of Defendant NYU's Motion for Summary Judgment, dated June 16, 2022.

9. Attached to this Declaration as **Exhibit 7** are true and correct copies of excerpts from the deposition transcript of Colleen Maeder, dated February 25, 2022 (Redacted).

10. Attached to this Declaration as **Exhibit 8** is a true and correct copy of the Declaration of Craig Jolley in support of Defendant NYU's Motion for Summary Judgment, dated June 22, 2022.

11. Attached to this Declaration as **Exhibit 9** are true and correct copies of excerpts from the deposition transcript of Allen M. McFarlane, dated February 11, 2022.

12. Attached to this Declaration as **Exhibit 10** are true and correct copies of excerpts from the deposition transcript of John Doe, dated December 17, 2021 (Redacted).

13. Attached to this Declaration as **Exhibit 11** are true and correct excerpts from the document bearing bates P009355 – P009393 (Redacted).

14. Attached to this Declaration as **Exhibit 12** are true and correct excerpts from the document bearing bates P009394 – P009551 (Redacted).

15. Attached to this Declaration as **Exhibit 13** is a true and correct copy of the transcript of the audio recording of Plaintiff's Title IX Hearing, dated February 23, 2022 (Redacted).

16. Attached to this Declaration as **Exhibit 14** is a true and correct copy of the document bearing bates NYU_00011361 – NYU_00011369 (Redacted).

17. Attached to this Declaration as **Exhibit 15** are true and correct excerpts from the document bearing bates P057258 – P057464 (Redacted).

18. Attached to this Declaration as **Exhibit 16** are true and correct excerpts from the document bearing bates P045456 – P046088 (Redacted).

19. Attached to this Declaration as **Exhibit 17** are true and correct excerpts from the document bearing bates P008425 – P008573 (Redacted).

20. Attached to this Declaration as **Exhibit 18** are true and correct excerpts from the document bearing bates P005421 – P005478 (Redacted).

21. Attached to this Declaration as **Exhibit 19** are true and correct excerpts from the document bearing bates P006752 – P006780 (Redacted).

22. Attached to this Declaration as **Exhibit 20** are true and correct excerpts from the document bearing bates P007826 – P007919 (Redacted).

23. Attached to this Declaration as **Exhibit 21** are true and correct excerpts from the document bearing bates P036902 – P040275 (Redacted).

24. Attached to this Declaration as **Exhibit 22** is a true and correct copy of the video file bearing bates NYU_00004015. The video file could not be redacted and will be submitted to the Court in native format pursuant to Defendant's Motion to Seal (Sealed).

25. Attached to this Declaration as **Exhibit 23** are true and correct excerpts from the document bearing bates P057933 – P057958 (Redacted).

26. Attached to this Declaration as **Exhibit 24** are true and correct excerpts from the document bearing bates NYU_00001091 – NYU_00001178 (Redacted).

27. Attached to this Declaration as **Exhibit 25** is a true and correct copy of the video file bearing bates NYU_00004012. The video file could not be redacted and will be submitted to the Court in native format pursuant to Defendant's Motion to Seal (Sealed).

28. Attached to this Declaration as **Exhibit 26** is a true and correct copy of the document bearing bates P008662 – P008741 (Redacted).

29. Attached to this Declaration as **Exhibit 27** is a true and correct copy of the document bearing bates NYU_00002432 – NYU_00002435 (Redacted).

30. Attached to this Declaration as **Exhibit 28** is a true and correct copy of the document bearing bates NYU_00002518 – NYU_00002520 (Redacted).

31. Attached to this Declaration as **Exhibit 29** is a true and correct copy of the document bearing bates NYU_00002598 – NYU_00002600 (Redacted).

32. Attached to this Declaration as **Exhibit 30** is a true and correct copy of the document bearing bates NYU_00002609 – NYU_00002614 (Redacted).

33. Attached to this Declaration as **Exhibit 31** is a true and correct copy of the document bearing bates NYU_00009558 – NYU_00009567 (Redacted).

34. Attached to this Declaration as **Exhibit 32** is a true and correct copy of the document bearing bates NYU_00009568 – NYU_00009575 (Redacted).

35. Attached to this Declaration as **Exhibit 33** is a true and correct copy of the document bearing bates P002929 (Redacted).

36. Attached to this Declaration as **Exhibit 34** is a true and correct copy of the document bearing bates P002943 – P002953 (Redacted).

37. Attached to this Declaration as **Exhibit 35** are true and correct excerpts from the document bearing bates P058064 – P060912 (Redacted).

38. Attached to this Declaration as **Exhibit 36** are true and correct excerpts from the document bearing bates P061855 – P065233 (Redacted).

39. Attached to this Declaration as **Exhibit 37** is a true and correct copy of the document bearing bates NYU_00002684 – NYU_00002687 (Redacted).

40. Attached to this Declaration as **Exhibit 38** is a true and correct copy of the document bearing bates NYU_00002654 – NYU_00002664 (Redacted).

41. Attached to this Declaration as **Exhibit 39** is a true and correct copy of the document bearing bates NYU_00002837 – NYU_00002849 (Redacted).

42. Attached to this Declaration as **Exhibit 40** is a true and correct copy of the document bearing bates NYU_00002850 (Redacted).

43. Attached to this Declaration as **Exhibit 41** is a true and correct copy of the document bearing bates NYU_00010191 – NYU_00010205 (Redacted).

44. Attached to this Declaration as **Exhibit 42** is a true and correct copy of the document bearing bates NYU_00010206 – NYU_00010224 (Redacted).

45. Attached to this Declaration as **Exhibit 43** is a true and correct copy of the document bearing bates NYU_00029166 – NYU_00029167 (Redacted).

46. Attached to this Declaration as **Exhibit 44** is a true and correct copy of the document bearing bates NYU_00009555 (Redacted).

47. Attached to this Declaration as **Exhibit 45** is a true and correct copy of the document bearing bates NYU_00003903 (Redacted).

48. Attached to this Declaration as **Exhibit 46** are true and correct copies of excerpts from the deposition transcript of Aneeta Doe, dated January 28, 2022 (Redacted).

49. Attached to this Declaration as **Exhibit 47** is a true and correct copy of the document bearing bates NYU_00003149 – NYU_00003150 (Redacted).

50. Attached to this Declaration as **Exhibit 48** is a true and correct copy of the document bearing bates NYU_00003180 – NYU_00003181 (Redacted).

51. Attached to this Declaration as **Exhibit 49** is a true and correct copy of the document bearing bates NYU_00003333 – NYU_00003335 (Redacted).

52. Attached to this Declaration as **Exhibit 50** is a true and correct copy of the document bearing bates NYU_00003473 (Redacted).

53. Attached to this Declaration as **Exhibit 51** is a true and correct copy of the document bearing bates NYU_00000009 – NYU_00000010 (Redacted).

54. Attached to this Declaration as **Exhibit 52** is a true and correct copy of the document bearing bates NYU_00010096 – NYU_00010119 (Redacted).

55. Attached to this Declaration as **Exhibit 53** is a true and correct copy of the document bearing bates NYU_00010120 – NYU_00010142 (Redacted).

56. Attached to this Declaration as **Exhibit 54** is a true and correct copy of the document bearing bates NYU_00004169 – NYU_00004173 (Redacted).

57. Attached to this Declaration as **Exhibit 55** is a true and correct copy of the document bearing bates P008743 (Redacted).

58. Attached to this Declaration as **Exhibit 56** is a true and correct copy of the document bearing bates NYU_00009552 – NYU_00009553 (Redacted).

59. Attached to this Declaration as **Exhibit 57** is a true and correct copy of the document bearing bates NYU_00004208 – NYU_00004213 (Redacted).

60. Attached to this Declaration as **Exhibit 58** is a true and correct copy of the document bearing bates NYU_00005909 – NYU_00005910 (Redacted).

61. Attached to this Declaration as **Exhibit 59** is a true and correct copy of the spreadsheet bearing bates NYU_00024053 (Redacted).

62. Attached to this Declaration as **Exhibit 60** is a true and correct copy of the document bearing bates NYU_00000073 – NYU_00000074 (Redacted).

63. Attached to this Declaration as **Exhibit 61** is a true and correct copy of the document bearing bates NYU_00000071 – NYU_00000072 (Redacted).

64. Attached to this Declaration as **Exhibit 62** is a true and correct copy of the document bearing bates NYU_00000091 – NYU_00000092 (Redacted).

65. Attached to this Declaration as **Exhibit 63** is a true and correct copy of the document bearing bates NYU_00006515 – NYU_00006517 (Redacted).

66. Attached to this Declaration as **Exhibit 64** is a true and correct copy of the document bearing bates NYU_00006594 – NYU_00006600 (Redacted).

67. Attached to this Declaration as **Exhibit 65** is a true and correct copy of the document bearing bates NYU_00006487 – NYU_00006850 (Redacted).

68. Attached to this Declaration as **Exhibit 66** is a true and correct copy of the document bearing bates NYU_00031700 – NYU_00031703 (Redacted).

69. Attached to this Declaration as **Exhibit 67** is a true and correct copy of the document bearing bates NYU_00000230 (Redacted).

70. Attached to this Declaration as **Exhibit 68** is a true and correct copy of the document bearing bates NYU_00006658 – NYU_00006659 (Redacted).

71. Attached to this Declaration as **Exhibit 69** is a true and correct copy of the document bearing bates NYU_00006699 – NYU_00006706 (Redacted).

72. Attached to this Declaration as **Exhibit 70** are true and correct copies of excerpts from the deposition transcript of Lauren Stahl, dated February 2, 2022.

73. Attached to this Declaration as **Exhibit 71** is a true and correct copy of the document bearing bates NYU_00007055 – NYU_00007057 (Redacted).

74. Attached to this Declaration as **Exhibit 72** are true and correct copies of excerpts from the deposition transcript of Craig Jolley, dated February 18, 2022 (Redacted).

75. Attached to this Declaration as **Exhibit 73** is a true and correct copy of the document bearing bates NYU_00007112 – NYU_00007115 (Redacted).

76. Attached to this Declaration as **Exhibit 74** is a true and correct copy of the document bearing bates NYU_00000691 – NYU_00000692 (Redacted).

77. Attached to this Declaration as **Exhibit 75** is a true and correct copy of the document bearing bates NYU_00011506 – NYU_00011515 (Redacted).

78. Attached to this Declaration as **Exhibit 76** is a true and correct copy of the document bearing bates NYU_00007876 – NYU_00007877 (Redacted).

79. Attached to this Declaration as **Exhibit 77** are true and correct copies of excerpts from the deposition transcript of Leah Lattimore, dated March 9, 2022 (Redacted).

80. Attached to this Declaration as **Exhibit 78** are true and correct copies of excerpts from the deposition transcript of Thomas Ellett, dated March 4, 2022 (Redacted).

81. Attached to this Declaration as **Exhibit 79** is a true and correct copy of the document bearing bates P000575 – P000588 (Redacted).

82. Attached to this Declaration as **Exhibit 80** is a true and correct copy of the document bearing bates P000555 (Redacted).

83. Attached to this Declaration as **Exhibit 81** is a true and correct copy of the document bearing bates P000556 (Redacted).

84. Attached to this Declaration as **Exhibit 82** is a true and correct copy of the document bearing bates P000565 – P000567 (Redacted).

85. Attached to this Declaration as **Exhibit 83** is a true and correct copy of the document bearing bates P000025 (Redacted).

86. Attached to this Declaration as **Exhibit 84** is a true and correct copy of the document bearing bates NYU_00002518 – NYU_00002520 (Redacted).

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Jeffrey P. Metzler

Executed on the 22 day of June, 2022.